IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 24917 of 2007

DATED: 26.11.2007

Between:

1.. K Surya Kumar & another petitioners

and

Government of A.P.
Rep by its Secretary,
Coop department, Secretariat,
Hyderabad & ors Respondents

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 24917 of 2007

ORAL ORDER:

This writ petition is filed questioning the proceedings dated 11.10.2007 issued by the second respondent directing the third respondent association to arrange to conduct elections to the executive body of the association in terms of the orders passed in O.P. No. 230 of 2004 dated 23.1.2006 on the file of the II Additional District Judge, Rangareddy, as illegal and arbitrary.

The petitioners herein claim that they are members of the third respondent society. The elections to the third respondent society were conducted on 3.7.2005 and some of the members challenged the said elections by filing O.P. No. 230 of 2004 on the file of the II Additional District Judge, Rangareddy district. In pursuance of the order passed therein, by order dated 23.1.2006, the elections conducted on 3.7.2005 were cancelled and the District Cooperative Officer, was directed to assist the third respondent society to conduct elections. While so, aggrieved by the action of the third respondent in seeking to conduct elections, by eliminating them from the electoral rolls, they filed O.P. No. 343 of 2006 on the file II Additional District Judge, Ranga Reddy District, and it is the case of the petitioners that despite orders passed by the Court, staying conduct of elections, the second respondent, on the basis of representation of the third respondent society, has issued impugned letter dated 11.10.2007 to the third respondent association and its office bearers to arrange to conduct elections to the executive

body of the association immediately. It is the case of the petitioners that the third respondent cannot proceed with the conduct of elections in view of the orders dated 21.04.2006 passed by the Civil Court in I.A. No. 676 of 2006 in O.P. No. 343 of 2006, filed by them seeking injunction restraining the respondents from proceeding with the conduct of elections. Hence, the present writ petition.

Heard the learned counsel for petitioner and learned Government Pleader for Cooperation and perused the material available on record.

Admittedly, petitioners' right to participate in the elections is subject matter of O.P. No. 230 of 2004 and O.P. No. 343 of 2006 on the file of the II Additional District Judge, Ranga Reddy district, and since it is the case of the petitioners that they are members, they may approach the respondents by way of appropriate representation seeking to permit them to participate in the elections. At any rate, this Court in exercise of its jurisdiction under Article 226 of the Constitution of India, does not interfere in disputes, which are subject-matter before the Civil Court.

With the above observation, the writ petition is dismissed. No costs.

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N.V.RAMANA,J

DATED: 26.11.2007
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